

# Developmental Disabilities Advisory Council

## Meeting Agenda and Minutes

<b>Date</b>	December 1, 2022
<b>Time</b>	2:00pm – 4:00pm
<b>Location</b>	<b>Zoom Only</b> Call In Information: <a href="https://uwyo.zoom.us/j/202849015">https://uwyo.zoom.us/j/202849015</a> , (669) 900-6833, Meeting ID: 202 849 015
<b>Purpose</b>	To assist and advise the Division of Healthcare Financing (Division) in implementing a statewide service delivery system for persons who are identified as having developmental and intellectual disabilities, and acquired brain injuries (ABI).
<b>Members</b>	Rita Basom, <del>Ginny Chidsey</del> , Maria Clark, Lorie Conrad, Brenda Dick, Jeff Gardner, Kayla Green, Buck Gwyn, <del>Arkansas Le Marr</del> , Marcella Maher, Sandy Root-Elledge, Bob Sell
<b>Division Staff</b>	Jessica Abbott, Matthew Crandall, Elizabeth Forslund, Lee Grossman, Dillion Johnson, <del>Julie Lacey</del> , <del>Samantha Mills</del> , Shirley Pratt
<b>TOPICS AND HIGHLIGHTS</b>	
1.	<b><u>Roll call and approval of minutes</u></b> <ul style="list-style-type: none"> <li>Jeff called the meeting to order at 2:02pm.</li> <li>Maria moved to approve the minutes of September 1, 2022; Bob seconded. Motion carried.</li> </ul>
2.	<b><u>Division update</u></b> <ul style="list-style-type: none"> <li>Centers for Medicare and Medicaid Services (CMS) Evidentiary Report <ul style="list-style-type: none"> <li>Prior to seeking a renewal of the Comprehensive or Supports Waiver, the Division is required to provide a detailed reporting to CMS on how the Division is meeting the assurances established in the waiver agreements. This reporting, which typically occurs approximately half-way through the five year waiver cycle, has been submitted to CMS. The Division is currently responding to questions, and should have the reporting completed by the end of the year.</li> </ul> </li> <li>Home and Community Based Services (HCBS) <a href="#">Settings Rule</a> <ul style="list-style-type: none"> <li>Federal regulation issued in 2014 by CMS proactively identified what a home and community-based (HCB) setting and a person-centered planning process looks like, and required states to come into full compliance with the standards by March 2019. However, after several deadline extensions, CMS will hold states to full compliance by March 17, 2023.</li> <li>Wyoming's statewide transition plan, which explains how the State will come into compliance, was approved in 2018. Full compliance with the regulation will be reached before the required deadline. Components of the federal regulation were integrated into state rules in 2017, but many states are struggling to get changes made and come into compliance.</li> <li>The tenets of the regulation are not controversial. The focus on a participant's right to be treated with dignity, to have their privacy respected, and to have control over their living environment and choices are very basic.</li> <li>Wyoming has been recognized as a leader in this process, and Lee was recently asked to be a panelist at the Association of University Centers on Disabilities (AUCD) conference to discuss Wyoming's approach to reaching compliance with this federal regulation.</li> <li><u>Member comment:</u> We are ahead of the curve in implementing this regulation. The Division has done a great job. Several University Centers for Excellence in Developmental Disabilities</li> </ul> </li> </ul>

	<p>(UCEDDs) have reached out to the Wyoming Institute for Disabilities, Wyoming’s UCEDD, with additional questions about Wyoming’s approach.</p> <ul style="list-style-type: none"> <li>○ <u>Member comment:</u> Compliance with this regulation is a big step forward in fulfilling the legal steps and intent of Olmstead. It created some angst in the state initially, but over the course of years there has been greater awareness and acceptance. The roll-out has been good, and Protection &amp; Advocacy is looking forward to seeing the philosophy implemented moving forward. Full and adequate funding is necessary.</li> <li>○ <u>Member question:</u> The philosophy is great, but is there someone who actually visits to ensure that implementation is occurring? <u>Division response:</u> <i>Yes. The Provider Support Unit has ten dedicated staff members who are responsible for credentialing providers, and investigating incidents and complaints. If a complaint or incident is substantiated, this team may conduct on-site visits, and issue technical assistance, provider training, or corrective or adverse action in response to their findings. During provider recertification, the provider must submit documents that demonstrate how they comply with state and federal rules, and the Provider Support Unit will conduct physical or virtual walk-throughs to verify compliance.</i></li> <li>○ <u>Member comment:</u> Wyoming providers have been in compliance with this rule for a long time. The Division did a great job in getting us there. <u>Division response:</u> <i>The Division would like to extend a heartfelt thank you to providers for putting the federal and state regulations into action.</i></li> <li>● High Needs Model rate increase implementation <ul style="list-style-type: none"> <li>○ On September 1, 2022, the Division implemented rate increases and modified individual plans of care for services that were affected by the agency rate increase for some adult day and community living service tiers. All agency providers had to attest that they hire and pay staff members to provide services, and those providers should have received the necessary prior authorizations to begin billing for the new agency specific services.</li> </ul> </li> <li>● Quality Improvement Strategy <ul style="list-style-type: none"> <li>○ As established in the Comprehensive and Supports Waiver agreements with CMS, the Quality Improvement Strategy, which was distributed to Council members for review, was presented and discussed.</li> <li>○ <u>Member comment:</u> It is getting harder to find providers, especially in Teton County. <u>Division response:</u> <i>The Division does not have plans to implement a public relations campaign or other strategies to recruit providers or case managers at this time.</i></li> </ul> </li> </ul>
3.	<p><b><u>American Rescue Plan Act (ARPA)</u></b></p> <ul style="list-style-type: none"> <li>● Case Manager Training and Incentivization <ul style="list-style-type: none"> <li>○ As discussed in previous meetings, the Division has partnered with WIND to develop and implement case manager training focused on person centered planning. The Division appreciates the expertise that WIND brings to the table, and the perspective that they will integrate into the project.</li> <li>○ WIND is working with a case manager advisory committee to develop and review the training modules, and is then passing along to the Division for their review. The Division has recommended some changes, and WIND is in the process of reviewing the recommendations and making necessary adjustments to the draft modules.</li> <li>○ <u>Member question:</u> Will this training be required or voluntary? <u>Division response:</u> <i>This training, and the associated rate increase that case managers can bill once they complete the training, is strictly voluntary.</i></li> <li>○ <u>Member question:</u> Is there a point when the Division will need to make the training mandatory? <u>Division response:</u> <i>We are looking at all of the possibilities, and will assess that</i></li> </ul> </li> </ul>

	<p><i>option once we review the success of the first cohort. The Division will look at quality measures to determine any improvement.</i></p> <ul style="list-style-type: none"> <li>• Technology Innovation Grants <ul style="list-style-type: none"> <li>○ The draft Funding Opportunity Announcement has been published for provider feedback. Elizabeth may be reaching out to Council members to invite them to be on the application review panel.</li> <li>○ <u>Member comment:</u> The funding announcement explains things well, and is easy to understand. Great job.</li> <li>○ <u>Member question:</u> The Division is not requesting financial information from the applicant. Is this because providers are already approved and Medicaid providers? Also, grants are subject to State of Wyoming contracting and vendor management requirements. Does that mean we have to obtain bids prior to making purchases? <i><u>Division response:</u> Financial information is not being requested because providers are already Medicaid approved. Bids will not be necessary.</i></li> <li>○ <u>Member comment:</u> The grant award limit of \$100,000 is exciting, as it promotes the implementation of creative programs.</li> </ul> </li> <li>• National Core Indicators (NCI) Surveys <ul style="list-style-type: none"> <li>○ Vital Research (VR), the contractor that is conducting the NCI-IDD surveys, is in week two of the survey. They have hired 12 surveyors to conduct the surveys. They will be conducting 400 surveys overall, so many participants of the Comprehensive and Supports Waivers will be contacted.</li> <li>○ The Division has supplied VR with a list of participants to contact. They will contact 50 participants at a time, and once they determine the participant's interest in being part of the survey process, will contact additional participants as needed.</li> <li>○ The State of the Workforce Survey, previously referred to as the Staff Stability Survey, will begin on February 15, 2023. Dillion will be reaching out to providers in the near future to confirm contact information.</li> </ul> </li> </ul>
4.	<p><b><u>Member updates</u></b></p> <ul style="list-style-type: none"> <li>• Wyoming Governor's Council on Developmental Disabilities (WGDD) mini grant applications are being accepted through January 20, 2023 for the granting period of October 2023 - September 2024. The purpose of the <a href="#">Mini-Grant</a> is to facilitate new and innovative Wyoming projects or activities that empower people with developmental disabilities and their families.</li> <li>• National Protection and Advocacy networks are working at the local and state levels to prevent and prepare for COVID and future public health emergencies, including equal access to testing and treatment. They will be conducting messaging on the wellness of participants and staff members on the radio and through movie theater promotions. The <a href="#">P&amp;A TidBits newsletter</a> is available on the website and is updated regularly.</li> <li>• The Vocational Rehabilitation team is asking for patience and grace as they navigate their new case management system. It was launched in October, and the rollout continues to be tricky.</li> <li>• The American Network of Community Options and Resources (ANCOR) is a national trade association that represents nearly 2,000 private providers across the country. In a survey, to which over 700 providers responded, the following trends were identified: <ul style="list-style-type: none"> <li>○ 83% of responding providers are turning away referrals</li> <li>○ 63% of responding providers are discontinuing programs</li> <li>○ 55% of responding providers are considering the discontinuation of programs</li> <li>○ 92% of responding providers are struggling to achieve quality outcomes</li> <li>○ 71% of responding case managers are struggling to find providers</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• The Wyoming Community Service Providers (WCSP) Association provided additional workforce data: <ul style="list-style-type: none"> <li>○ Starting average direct support wage of responding WCSP members - \$13.87/hr</li> <li>○ Average direct support wage for veteran employees of responding WCSP members - \$14.88/hr</li> <li>○ Total payroll for responding WCSP members - Approximately \$31 million annually</li> <li>○ Average turnover of responding WCSP members - 51.5%</li> <li>○ Average vacancy rate of responding WCSP members - 11% (0-24%)</li> <li>○ Number of direct service hours provided by responding WCSP members - over 800,000 hours annually</li> </ul> </li> <li>• <u>Member comment</u>: The workforce crisis was an issue long before the COVID public health emergency.</li> </ul>
5.	<p><b><u>Bylaws Committee</u></b></p> <p>Bob, Lorie, and Kayla volunteered to review the Council bylaws, and bring recommendations back to the Council as a whole.</p>
6.	<p><b><u>Public Comment</u></b></p> <p>There was no public comment offered during the public comment period.</p>
7.	<p><b><u>Meeting Adjournment</u></b></p> <p>Marcee moved to adjourn the meeting. Meeting adjourned at 3:35pm.</p>
<b>NEXT MEETING – March 2, 2023 - Zoom Only</b>	